



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

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January 22, 2004

IN REPLY PLEASE
REFER TO FILE: PD-6

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**COUNTY CONSENT TO ACQUISITION OF PROPERTY FOR ROAD PURPOSES AND
CONSENTING TO THE AVENUE S CORRIDOR WEST BECOMING A CITY STREET
CITY OF PALMDALE
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consider the Notice of Determination for the City Ranch, LLC project, approved by the City of Palmdale on December 19, 2003; find that the acquisition of property for road purposes is within the scope of the City Ranch, LLC project; find that this activity is adequately described in the City Ranch, LLC project, for the purposes of the California Environmental Quality Act; and find that these actions reflect the independent judgment of the County.
2. Adopt the enclosed Resolution approved as to form by County Counsel consenting to the City of Palmdale's acquisition of property along Avenue S within County unincorporated area for road purposes and consenting to the Avenue S Corridor West becoming a city street.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City of Palmdale proposes to widen, connect, and improve portions of the Avenue S Corridor West from State Highway 14 to the boundary of the unincorporated area of the County of Los Angeles and the City of Palmdale approximately 1.8 miles westerly at

20th Street West. It is necessary for the City to acquire property along the Avenue S Corridor West, which is outside the City and within unincorporated County area. California Streets and Highway Code Section 1810 requires the County to consent to the acquisition of these properties by the City. In addition, the City of Palmdale requests that the entire Avenue S Corridor West become a city street, which requires the County to relinquish control of the existing portions of Avenue S within the unincorporated areas of the County of Los Angeles to the City of Palmdale.

Implementation of Strategic Plan Goals

This action is consistent with the County's Strategic Plan Goal of Service Excellence as it provides for a cooperative effort between the County and the City to enable the City to implement its street master plan on an arterial street of regional significance for the benefit of the motoring public.

FISCAL IMPACT/FINANCING

There will be no impact to the County's General Fund. Funds currently allocated for road maintenance purposes and future funding to develop the remainder of the roadway as a highway will no longer be required for this segment of Avenue S.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The enclosed Resolution, which has been approved as to form by County Counsel, provides for the City of Palmdale to acquire property outside its City boundaries within the unincorporated County for road purposes for the Avenue S Corridor West. The Resolution also provides for the Avenue S Corridor West to become a city street for the purposes of widening, grading, and construction and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

Furthermore, the Resolution provides that effective on the date of approval, all expenses necessary for the administration, operation, maintenance, repairs, replacement, and all other items necessary for proper operation and maintenance of existing street lights located within the unincorporated portions of the Avenue S Corridor West shall become the responsibility of the City of Palmdale.

ENVIRONMENTAL DOCUMENTATION

The California Environmental Quality Act requires public agency decision makers to document and consider the environmental implications of their actions. The City Ranch, LLC project, was approved by the City of Palmdale on December 19, 2003. The Environmental Document approved by the City of Palmdale addressed the acquisition of property for road purposes as a part of the City Ranch, LLC project. Accordingly, the recommended findings are in accordance with the California Environmental Quality Act and are required prior to your Board's approval of the enclosed Resolution.

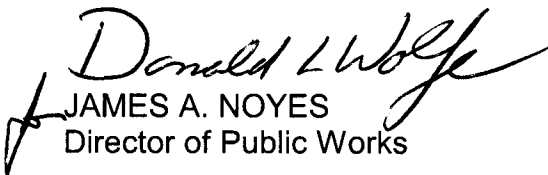
IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County has no projects programmed on this section of Avenue S to develop its use as a highway. The City's street master plan for Avenue S is consistent with this plan and the City will now be responsible for all necessary acquisitions, improvements, and maintenance. No impact on current services or projects will result from this action.

CONCLUSION

Please return one approved copy of this letter to Public Works with an executed copy of the Resolution.

Respectfully submitted,


JAMES A. NOYES
Director of Public Works

RY:cr

C041047

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Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF LOS ANGELES, CALIFORNIA, CONSENTING TO THE
ACQUISITION BY THE CITY OF PALMDALE OF RIGHT OF WAY,
WHICH IS LOCATED OUTSIDE ITS BOUNDARIES AND WITHIN THE
UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES,
FOR THE PURPOSE OF STREET IMPROVEMENTS ON AVENUE S

WHEREAS, the City of Palmdale proposes to widen, connect, and improve portions of the Avenue S Corridor West from State Highway 14 to the boundary of the unincorporated area of the County of Los Angeles and the City of Palmdale approximately 1.8 miles westerly at 20th Street West; and

WHEREAS, it is necessary for the City of Palmdale to acquire right of way along the Avenue S Corridor West within the area generally described on the attached Exhibit A for the purposes of widening, connecting and improving portions of an existing City Street; and

WHEREAS, portions of the right of way to be acquired for the widening and improvement of the Avenue S Corridor West are within the unincorporated area of the County of Los Angeles; and

WHEREAS, pursuant to Section 1810 of the California Streets and Highways Code, a city may acquire property in unincorporated areas of the County in which the city is located provided that the acquired property is necessary to widen or connect an existing street of the acquiring city and the County consents to the acquisition; and

WHEREAS, California Streets and Highways Code Section 1810 also provides that the property acquired pursuant to this Section shall be deemed a City street for all purposes; and

WHEREAS, the City of Palmdale desires that the entire Avenue S Corridor West become a City street, which requires the County of Los Angeles to relinquish control of the existing portions of Avenue S within the unincorporated area of the County of Los Angeles to the City of Palmdale.

WHEREAS, the City of Palmdale did, on November 12, 2003, pass, approve, and adopt a Resolution, attached as Exhibit B, requesting the County of Los Angeles to consent to the City of Palmdale's acquisition of property lying within the unincorporated areas of the County of Los Angeles for the purpose of widening and improving the Avenue S Corridor West, an existing City street; and resolving that the property acquired pursuant to the Resolution shall be a City street for all purposes and requesting the County of Los Angeles to relinquish control to the City of Palmdale, those existing portions of Avenue S in the unincorporated area of the County of Los Angeles within the area of land, which is generally described in Exhibit A for the purpose of widening and improving Avenue S, which are existing City streets of the City of Palmdale; those portions of Avenue S becoming a City street for all purposes to include, but not limited to, widening, grading, construction, and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

NOW, THEREFORE, the Board of Supervisors of the County of Los Angeles does hereby resolve as follows:

Section 1. Subject to the terms and conditions set forth herein, the County of Los Angeles consents, pursuant to Section 1810 of the California Streets and Highways Code, to the acquisition by the City of Palmdale of rights of way within unincorporated territory of the County of Los Angeles, within an area generally described on Exhibit A, required to widen and improve the Avenue S Corridor West, an existing City street of the City of Palmdale.

Section 2. Pursuant to Section 1810 of the California Streets and Highways Code, all rights of way within the unincorporated territory of the County of Los Angeles, including fee title, slope easements, drainage easements, and any and all other property rights necessary for the construction, maintenance, and operation of the road, acquired by the City of Palmdale for the purposes stated herein shall become a City street for all purposes.

Section 3. The County of Los Angeles hereby relinquishes control and jurisdiction to the City of Palmdale, those existing portions of Avenue S in the unincorporated area of the County of Los Angeles within the area of land, which is generally described in Exhibit A for all purposes to include, but not limited to, grading, construction, and maintenance of roadway, parkway, bikeway, street lighting, traffic signal, utility, railroad crossing, landscaping, and drainage improvements.

Section 4. Effective the date of approval of this Resolution, all expenses necessary for the administration, operation, maintenance, repairs, replacement, and all other items necessary for proper operation and maintenance of existing street lights located within the unincorporated portions of the Avenue S Corridor West shall become the responsibility of the City of Palmdale.

Section 5. The City of Palmdale shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any liability imposed for injury occurring by reason of any acts or omissions on the part of City in connection with any work performed within the Avenue S Corridor for the purpose of widening and improving the existing City streets of the City of Palmdale, which are located within said Avenue S Corridor West.

Section 6. The City shall reimburse the County for any court and attorney's fees, which the County may be required to pay as a result of any claim or action brought against the County because of the Board's adoption of this Resolution. Although the City will be the real party in interest in any such action, the County may, at its sole discretion, participate at its own expense in the defense of the action. Such participation shall not relieve the City of any obligation under this condition.

Section 7. If any provision of this Resolution is held or declared to be invalid, the Resolution shall be void and the consent granted hereunder shall lapse.

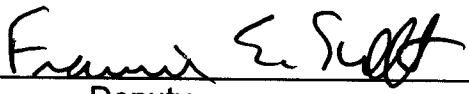
The foregoing Resolution was on the ____ day of _____, 2004, adopted by the Board of Supervisors of the County of Los Angeles and ex-officio of the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

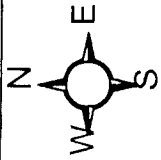
VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

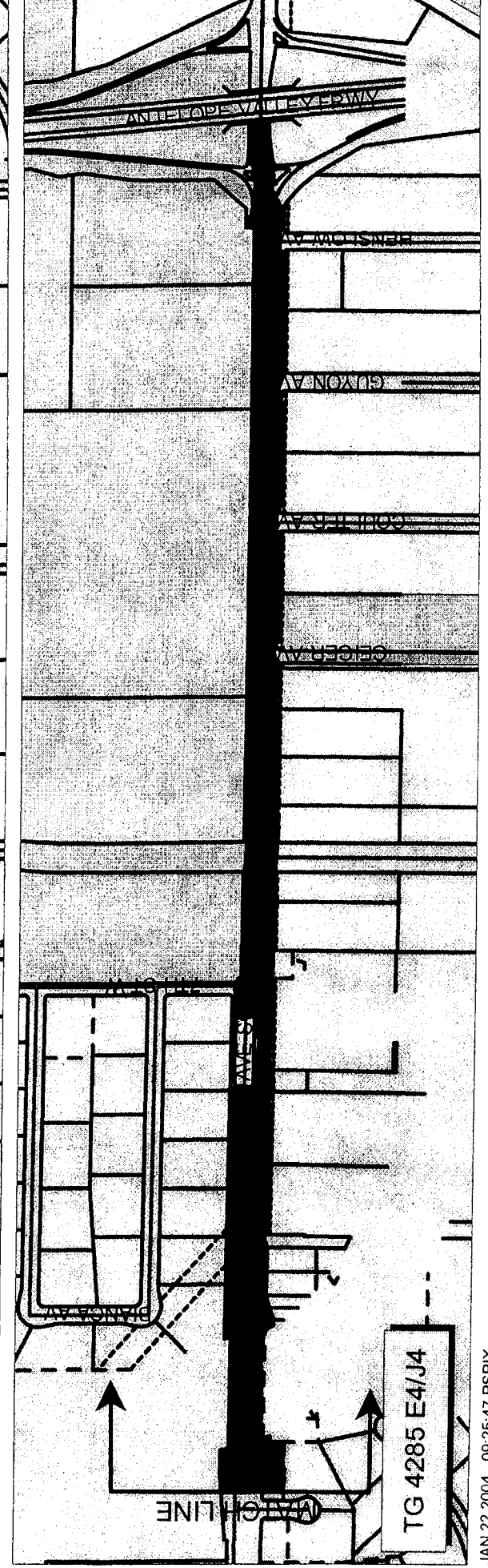
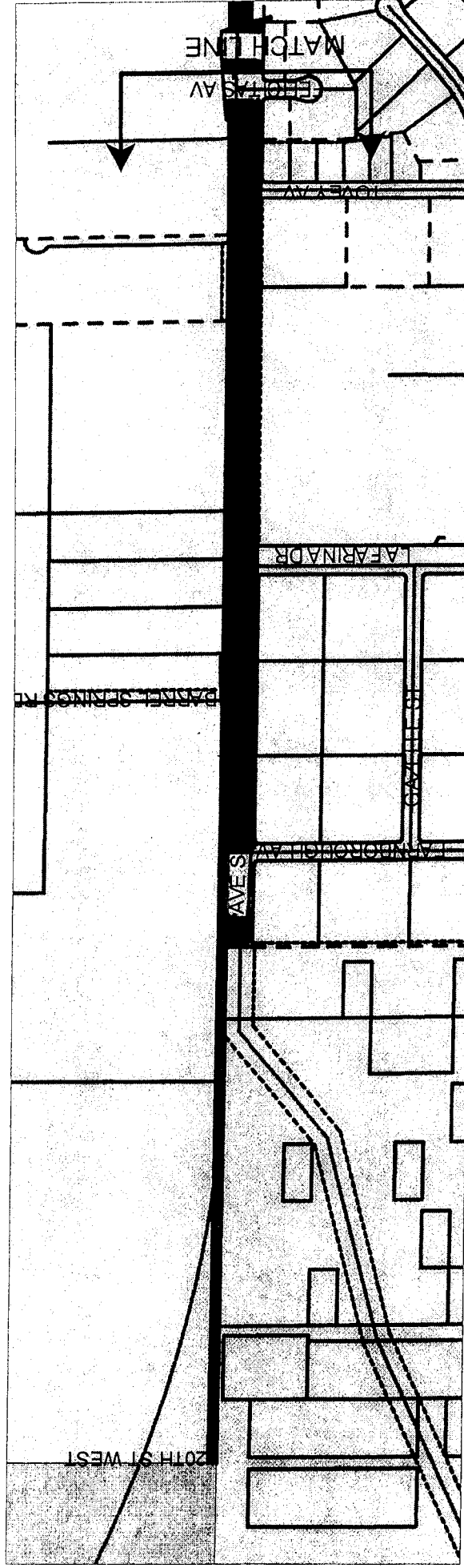
LLOYD W. PELLMAN
County Counsel

By  _____
Deputy



AVENUE -S- CORRIDOR WEST

PROJECT LIMITS



TG 4285 E4/J4

EXHIBIT B

CITY OF PALMDALE COUNTY OF LOS ANGELES, CALIFORNIA

RESOLUTION NO. CC 2003-219

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALMDALE REQUESTING THAT THE COUNTY OF LOS ANGELES CONSENT TO THE ACQUISITION BY THE CITY OF PALMDALE OF PROPERTY WHICH IS LOCATED OUTSIDE ITS BOUNDARIES AND WITHIN THE UNINCORPORATED AREA OF THE COUNTY OF LOS ANGELES FOR STREET PURPOSES FOR AVENUE S

WHEREAS, some portions of Avenue S, which are located within the area of land that is generally described in Exhibit A hereby known as Avenue S, are outside the boundaries of the City of Palmdale and inside the unincorporated area of the County of Los Angeles; and

WHEREAS, some portions of Avenue S, which are located within the area of land which is generally described in Exhibit A hereto known as the Avenue S, are inside the boundaries of the City of Palmdale; and

WHEREAS, those portions of Avenue S which are located within the Avenue S and are also inside the boundaries of the City of Palmdale, are existing streets of the City of Palmdale; and

WHEREAS, it is necessary for the City of Palmdale to acquire property within said Avenue S, which is located outside the City of Palmdale's boundaries and inside the unincorporated area of the County of Los Angeles in order to widen, connect and improve portions of Avenue S which are existing city streets of the City of Palmdale, to include, but not be limited to, grading, roadway, parkway, bikeway, street lighting, traffic signals, utility, landscaping and drainage improvements; and

WHEREAS, California Streets and Highways Code Section 1810 requires that the County of Los Angeles consent to the acquisition, by the City of Palmdale, of property outside the City of Palmdale's boundaries in the unincorporated area of the County of Los Angeles where such property is necessary for the City of Palmdale to widen, connect and improve portions of Avenue S which are existing city streets of the City of Palmdale; and

WHEREAS, California Streets and Highways Code Section 1810 also provides that the portion of the acquired property used to connect or widen a city street shall be deemed a city street for all purposes; and

WHEREAS, the City of Palmdale desires and the County of Los Angeles consents to the entire Avenue S corridor becoming a city street, which requires the County of Los Angeles to relinquish control of the existing portions of Avenue S within the unincorporated areas of the County of Los Angeles to the City of Palmdale;

NOW, THEREFORE, the City Council of the City of Palmdale does hereby find, determine, order and resolve as follows:

1. Pursuant to California Streets and Highways Code Section 1810, the City hereby requests that the County of Los Angeles consent to the City of Palmdale's acquisition of property within the unincorporated area of the County of Los Angeles, within the area of land which is generally described in Exhibit A hereby known as Avenue S, for the purposes of widening, connecting and improving portions of Avenue S which are existing city streets of the City of Palmdale, to include, but not be limited to, grading, roadway, parkway, bikeway, street lighting, traffic signals, utility, landscaping and drainage improvements.

2. Pursuant to California Streets and Highways Code Section 1810, those portions of property which are acquired by the City of Palmdale, in the unincorporated area of the County of Los Angeles within the area of land which is generally described in Exhibit A hereto known as the Avenue S, for the purpose of widening, connecting and improving portions of Avenue S which are existing city streets of the City of Palmdale, shall be a city street for all purposes, to include, but not be limited to, grading, roadway, parkway, bikeway, street lighting, traffic signals, utility, landscaping and drainage improvements.

3. The City hereby requests that the County of Los Angeles relinquish control to the City of Palmdale, those existing portions of Avenue S in the unincorporated area of the County of Los Angeles within the area of land which is generally described in Exhibit A hereto known as the Avenue S, for the purpose of widening, connecting and improving portions of Avenue S which are existing city streets of the City of Palmdale; those existing portions of Avenue S becoming a city street for all purposes, to include, but not be limited to, grading, roadway, parkway, bikeway, street lighting, traffic signals, utility, crossing, landscaping and drainage improvements.

4. The City of Palmdale hereby consents to defend, indemnify and hold harmless the County of Los Angeles and its officers and employees from any liability imposed for injury occurring by reason of any acts or omissions on the part of the City of Palmdale in connection with any work performed within Avenue S for the purpose of widening, connecting and improving the existing city streets of the City of Palmdale which are located within said Avenue S.

5. The City's Director of Public Works, or his designee, is hereby authorized and directed to provide the County of Los Angeles with maps and such other information as the County of Los Angeles desires, and to work with the County of Los Angeles to accomplish the purposes of this Resolution.

6. This Resolution shall become effective immediately upon adoption.

PASSED, APPROVED and ADOPTED this 12th day of November 2003.

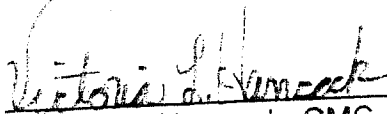
AYES: Mayor Ledford and Councilmembers Loa, Norris and Dispenza

NOES: None

ABSENT: Councilmember Root

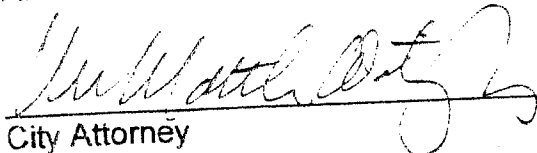
ABSTAIN: None

ATTEST:


Victoria L. Hancock, CMC
City Clerk


James C. Ledford, Jr., MAYOR

APPROVED AS TO FORM:


City Attorney